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son, 182 S. W. 897 (Ark.); *Rie v. Rie*, 34 Ark. 37; *Hayes v. Hayes*, 144 Cal. 625, 78 Pac. 19. But if the confession is made in open court the danger of collusion is lessened. So some courts have held that the petitioner's testimony is then sufficient corroboration. *Smith v. Smith*, 119 Cal. 183, 48 Pac. 730; *Hague v. Hague*, 95 Atl. 192 (N. J.).

FEDERAL COURTS — JURISDICTION BASED ON DIVERSITY OF CITIZENSHIP — INTERPLEADING A CLAIMANT WHO IS A CITIZEN OF THE SAME STATE AS THE PLAINTIFF. — The plaintiff bank, a New York corporation, was sued for a deposit, in a federal court, by a New Jersey corporation. The plaintiff, thereupon, brought a bill in the nature of an interpleader in the same court, praying that two citizens of New York and a New York corporation, claimants for the same fund, interplead in the suit. The original claimant contended that the bill, if allowed, would deprive the court of its jurisdiction, which was based on diversity of citizenship. *Held*, that the bill be granted. *Sherman Nat. Bank v. Shubert Theatrical Co.*, 56 N. Y. L. J. 1087 (Dist. Ct., S. D., N. Y.).

Diversity of citizenship, sufficient to create federal jurisdiction, is only achieved when all parties plaintiff are citizens of different states from all parties defendant. *Strawbridge v. Curtiss*, 3 Cranch (U. S.) 267. Yet actions may be "controversies between citizens of different states," even though parties not from different states are, at various times, involved in the determination of the suit. Thus, a bill to set aside a fraudulent conveyance which would, if unhampered, defeat an original decree over which the federal court had jurisdiction has been sustained without regard to the citizenship of the parties. *Hobbs Mfg. Co. v. Gooding*, 164 Fed. 91. See 22 HARV. L. REV. 304. So any proceeding which may be truly considered ancillary to an original proceeding, in which the court has jurisdiction, has been held maintainable without reference to citizenship. *Root v. Woolworth*, 150 U. S. 401. See *New Orleans v. Fisher*, 180 U. S. 185, 196. It is true that from the point of view of the old chancery courts, any bill to enjoin a suit at law was an original bill. The federal courts, however, regard such as merely supplementary to the original suit. *Freeman v. Howe*, 24 How. (U. S.) 450, 460; *Minnesota Co. v. St. Paul Co.*, 2 Wall. (U. S.) 609, 633. But an interpleader involves not alone an injunction — it involves the determination of the true owner of the claim. Can it be said that the determination of whether two strangers to the original suit are the owners of the claim, even though it involves the determination of whether the original claimant is the owner or not, is truly ancillary to the original proceeding? An early case has so held without discussion. *Stone v. Bishop*, 4 Cliff. (U. S.) 593. While the result may be desirable, the logic is not conclusive.

INJUNCTIONS — ACTS RESTRAINED — PUBLICATION OF PHOTOGRAPH WHEN EXCLUSIVE PHOTOGRAPHIC PRIVILEGES HAVE BEEN GRANTED TO ANOTHER. — The promoters of a dog show purported to assign the sole photographic rights in connection with the show to the plaintiffs. The defendants who had knowledge of the concession took photographs of the show and published them in their magazine. The plaintiffs seek an injunction restraining the further publication of the photographs. *Held*, that the injunction do not issue. *Sports & General Press Agency v. "Our Dogs" Publishing Co.*, [1916] 2 K. B. 880.

It is generally recognized that the literary or artistic producer has a property right in his creations. After publication such right may be protected only by copyright. *Pierce-Bushnell Co. v. Werckmeister*, 72 Fed. 54. But before publication, the common law will recognize and protect original literary and artistic property. So the right of a professor to restrain the publication of lectures orally delivered in his classroom, has been established. *Caird v. Sime*, L. R. 12 A. C. 326. An author has a similar property in his composition. *Millar v. Taylor*, 4 Burr. 2303, 2315; *Palmer v. De Witt*, 47 N. Y. 532; *Macklin v.*

Richardson, Amb. 694. The same is true of an artist and his paintings. *Prince Albert v. Strange*, 2 De G. & Sm. 652, 1 Mac. & G. 25, 1 H. & T. 1; *Turner v. Robinson*, 10 Ir. Ch. 121, 510. Indeed, the publication of photographs taken of models grouped to imitate a painting has been enjoined at the petition of the artist. *Turner v. Robinson*, *supra*. Cf. *Mansell v. Valley Printing Co.*, [1908] 2 Ch. 441. It would thus seem clear that in literary and artistic lines, not only are the productions themselves protected from imitation, but also the ideas which were their inspiration. In the principal case the plaintiff desires an injunction against the use of the inspiration (the dog show), produced here by physical labor and business acumen rather than by artistic thought, which caused the creation of his photographs. That the production itself, *i. e.*, the photographs, partake rather of news than artistic achievement should not alter the rights of the parties. For the compilation of stock quotations has frequently been protected. *Exchange Telegraph Co. v. Gregory*, [1896] 1 Q. B. 147; *Kiernan v. Manhattan Co.*, 50 How. Prac. (N. Y.) 194; *Exchange Telegraph Co. v. Central News*, [1897] 2 Ch. 48. It is difficult to see why a setting produced by labor should be entitled to less protection than one created in the mind. The case presents no difficulties on the problem of publication, for an exhibition like that in the principal case has not been deemed sufficiently public to deprive the promoters of their common-law right. *Turner v. Robinson*, *supra*; *Macklin v. Richardson*, *supra*. Nor is the assignability of the right contended for questioned. *Exchange Telegraph Co. v. Gregory*, *supra*.

JUDGMENTS — FOREIGN JUDGMENTS — EQUITABLE DECREE AS A CAUSE OF ACTION IN ANOTHER STATE. — The plaintiff sued for a divorce from her husband, one of the present defendants, in Illinois, where they were both domiciled. The court granted the divorce and entered a decree directing the payment of \$4000 alimony, "to be satisfied by the conveyance" of certain land in Wisconsin. He conveyed to the other defendants, who had notice. She brings this suit in Wisconsin upon the Illinois decree to set aside this conveyance and to have the land conveyed to herself. The defendants demur. *Held*, that the demurrer be overruled. *Mallette v. Carpenter*, 160 N. W. 182 (Wis.).

A decree to convey land in a foreign jurisdiction when based on a prior equity in the land, has been held a binding adjudication of the facts to which full faith and credit are due. *Dunlap v. Byers*, 110 Mich. 109, 67 N. W. 1067; *Burnley v. Stevenson*, 24 Ohio St. 474. See *Winn v. Strickland*, 34 Fla. 610, 630, 16 So. 606, 612. The Supreme Court, however, is apparently of the opinion that no decree for the conveyance of foreign land is within the full faith and credit clause. See *Fall v. Eastin*, 215 U. S. 1. For otherwise a foreign court would determine title to domestic land. See *Bullock v. Bullock*, 52 N. J. Eq. 561, 565-67, 30 Atl. 676, 677-78; 25 HARV. L. REV. 653, 654. According to either view the decree in the principal case is ineffective, for the order to convey is not an adjudication of prior equities in the land, but only a method of satisfying an unrelated judgment. *Bullock v. Bullock*, 52 N. J. Eq. 561, 570, 30 Atl. 676, 679; *Fall v. Fall*, 75 Neb. 104, 106 N. W. 412, 75 Neb. 120, 113 N. W. 175. Nor could the Wisconsin court accept the Illinois decision, though not compelled to, on the ground that it has undoubtedly indicated the best method of satisfying the judgment for alimony. For the method of execution that follows a breach of a right is a matter to be determined by the law of the forum. Nevertheless, although the principal case is technically wrong, the result is substantially right. For, though the decree to convey Wisconsin land is ineffective in Wisconsin, the Illinois decree for the payment of \$4000 is nevertheless binding. *Sistare v. Sistare*, 218 U. S. 1, 11-17; *Bullock v. Bullock*, 57 N. J. L. 508, 31 Atl. 1024. So the conveyance to the codefendants may be set aside as in fraud of creditors. *Weeks v. Hill*, 88 Me. 111, 33 Atl. 778. See *Wolford v. Farnham*, 47 Minn. 95, 97, 49 N. W. 528, 529.